Public Works (1905) Department.

G.O., No. 504 I.

DATED 25. 5. 1905

Prog.

26/5/05

29/6

[Despatch Abstract.]

Compensation to be paid for the lands damaged by the Puniyar [illegible]

Directing the Superintending Engineer, VI Circle, to submit for sanction, at an early date, an estimate [illegible]

for F.E.D. Ind. 26/5

Indexed.

110/6

BACK PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.

IRRIGATION.
ACCOUNT.

Government {1905} of Madras.

PUBLIC WORKS.

Recd. } 1905. *Enclosures*

Regd. *Spare copies*

G.O., No. 504 I., 25th May 1905.

MAY.

Compensation to be paid for the lands damaged by the Periyar waters

Directing the Superintending Engineer, VI Circle, to submit for sanction, at an early date, an estimate of —.

GOVERNMENT OF MADRAS.

PUBLIC WORKS DEPARTMENT.

Irrigation.
Account.

Read—again the following papers :—

G.O., No. 8 I., dated 3rd January 1899.

Abstract.—Communicating Revenue Government Order passing orders on the question of the grant of compensation for damages caused by the Periyár water.

G.O., No. 942 I., dated 13th August 1902.

Abstract.—Communicating to the Superintending Engineer, VI Circle, for information and necessary action, Revenue Government Order regarding remission on account of the damages caused by the Periyár water.

G.O., No. 72 I., dated 26th January 1903.

Abstract.—Sanctioning an estimate of Rs. 1,077 for compensation for loss of crops by the Periyár water in the Periyakulam taluk.

G.O., No 102 I., dated 31st January 1903.

Abstract.—Recording, with remarks, Revenue Government Order recording Board's Proceedings stating that a report on the Periyár damaged lands will be submitted as soon as their survey is completed by the Public Works Department.

Read—also the following paper :—

G.O., No. 418, Revenue, dated 11th May 1905.

Read—the following paper :—

Proceedings of the Board of Revenue (Revenue Settlement, Land Records and Agriculture), Mis. No. 6905, dated 19th December 1904.

Read—letter from the Collector of Madura, R.O.C. No. 384/B. & G., dated 15th October 1904.

Read—also the following Board's Reference thereon, No. 3720, dated 24th October 1904:—

The letter from the Collector of Madura read above will be forwarded to the Chief Engineer for Irrigation for favour of early remarks with special reference to the questions raised by him in paragraphs 6 to 8.

Read—also the following Memorandum from the Chief Engineer for Irrigation, No. 4048, dated 30th November 1904 :—

[*Reference.*—Board's Reference, No. 3720, dated 24th October 1904.]

The Chief Engineer for Irrigation is of opinion that the question of compensation should not be delayed until a decision has been come to in regard to a reservoir on the plains.

2. It is practically certain that a lower reservoir will eventually be constructed, but it may be some years before the work is sanctioned.

3. The kumili cut, by means of which water will be passed down the Periyár lake to the lower reservoir, is also a work which is not likely to be postponed much longer.

4. The Government have approved in G.O., No. 1125 I., dated 13th October 1904, and forwarded to the Government of India for sanction an estimate, amounting to Rs. 4,42,000, for increasing the storage capacity of the Periyár lake.

5. With everything pointing to an increased discharge of Periyár water in the near future, the acquisition of land on both sides of the Suruli, as recommended by the Superintending Engineer, in his letter No. 1336 M.D., dated 19th September 1902, recorded in G.O., No. 102 I., dated 31st January 1903, is undoubtedly the right course to pursue.

6. The original papers received with the Board's reference are herewith returned.

Resolution—Mis. No. 6905, dated 19th December 1904.

The papers read above will be submitted for the orders of Government, with reference to the correspondence ending with their order No. 781, Revenue, dated 28th April 1904, regarding the compensation payable for lands rendered permanently unfit for cultivation by the Periyár water in the Periyakulam taluk.

2. In their order quoted above, Government agreed with the Board that the opinion of the Collector was indispensable in the selection of the lands to be acquired. A detailed investigation was accordingly made by Mr. Wallace, Divisional officer, Dindigul, with the result that he found that 147·98 acres had been washed away or damaged against 152·40 acres reported by the Public Works Department. It is reported that, in making this investigation, the Divisional officer left out of consideration any damage, which may have taken place since 1902, on the ground that, sooner or later, the Periyár must be regarded as a river and that Government should not be held responsible for its action. The Board considers that this view may be accepted and that the question of compensation should not be delayed until a decision is arrived at as regards the construction of a lower reservoir on the plains. The Chief Engineer states that it will take some years before this work is sanctioned.

3. In carrying out the investigation, the Divisional officer also considered the question (1) of the compensation to be given to owners of lands silted up by the flow of the Periyár water and (2) the course to be adopted in the case of wet lands, which have been cut off by the Periyár channel from their source of irrigation and which are now dry. The Collector's proposal in regard to the former is contained in paragraph 7 of his letter. The extent involved is reported to be 13·23 acres and the compensation payable is estimated at Rs. 75 per acre. The Board considers that the payment of compensation as regards these lands also should not be delayed any longer. As to the lands cut off from their source of irrigation, the Collector proposes to address the Public Works Department regarding the possibility of making special arrangements for their irrigation. The result of this reference may be awaited before deciding as to the compensation payable for them.

(True Extract.)

(Signed) V. K. RAMANUJA CHARI,
Secretary.

Order—No. 418, Revenue, dated 11th May 1905.

The Government accept Mr. Wallace's finding that the 147·98 acres of land detailed in his first list were rendered permanently unfit for cultivation as a result of the letting down of Periyár water. These lands should be acquired forthwith under the Act.

2. The 13·23 acres of land which was silted up should also be acquired and the Government consider that steps should be taken to acquire such further lands as may be necessary for the purpose of controlling the river.

3. The question of the arrangement to be made to supply water to the lands which have been cut off from their source of irrigation will be settled in the Public Works Department on receipt of the further report promised by the Collector.

4. Orders will be issued in the Public Works Department regarding provision of the necessary funds.

(True Extract.)

(Signed) A.G. CARDEW,
Ag. Secretary to Government.

Order—No. 504 I., dated 25th May 1905.

Communicated to the Superintending Engineer, VI Circle, who will submit, for sanction, at an early date, an estimate of compensation to be paid for the lands ordered to be acquired. He will also submit proposals in consultation with the Collector in regard to the arrangements considered necessary for the supply of water to the lands which have been cut off from their source of irrigation.

2. On receipt of the estimate called for, the question of providing the necessary funds will be considered.

(True Extract.)

(Signed) A. H. GARRETT,
Joint Secretary to Government,
Irrigation Branch.

To the Chief Engineer for Irrigation.
,, Superintending Engineer, VI Circle.
,, Examiner, Public Works Accounts.
,, Revenue Department.

Forwarded to the

(By order.)

Second Assistant.

Exd. P. S. Sankaran Nayer.

P. W. No. 4660/05

10
P. W. D.

Government {1905} of Madras.

REVENUE.

Recd. } 1905. *Enclosures*

Regd. *Spare copies*

G.O., No. 418, 11th May 1905.

G.O. No. 504 I d 25.5.05

MRD

Please say whether this printed copy of the order may be attached with G.O. No. 504 I d 25-5-05

MAY.

CRP 16-8-05

RR PWS

Please put up 8 per. CRP 17/8/05

C.S.

Compensation for lands damaged by Periyar water

Passing orders on proposals relating to the —.

Please note these & return this copy with G.O. ... CRP 12-8-05

GOVERNMENT OF MADRAS.

REVENUE DEPARTMENT.

Read—the following Proceedings of the Board of Revenue (Revenue Settlement, Land Records and Agriculture), Mis. No. 6905, dated 19th December 1904:—

The Hon'ble Mr. A. E. Castlestuart Stuart, I.C.S.,

Commissioner of Revenue Settlement and Director of the Department of Land Records and Agriculture.

Read—the following letter from A. R. KNAPP, Esq., I.C.S., Acting Collector of Madura, to the Secretary to the Commissioner of Revenue Settlement and Director of the Department of Land Records and Agriculture, dated 15th October 1904, R.O.C. No. 384/B. & G.:—

With reference to the correspondence ending with Board's Proceedings, No. 2513, dated 9th May 1904, regarding the payment of compensation for lands damaged by the Periyár water, in the Periyakulam taluk, I have the honour to report as follows:—

2. The present correspondence is, with reference to G.O., No. 616, Revenue, dated 16th July 1902, in which the Collector of Madura was directed to investigate the question of the lands destroyed and rendered unfit for cultivation by the letting down of Periyár water, and to submit proposals for the acquisition of such lands. The matter was investigated by the late Executive Engineer who, in consultation with the Sub-Collector (Mr. Thornton), prepared a list of lands damaged by the Periyár. In Board's Proceedings, Mis. No. 2026, dated 11th April 1904, and G.O., Mis. No. 781, Revenue, dated 28th April 1904, however, it was decided that a further detailed investigation by the Revenue Department was necessary. Accordingly Mr. Wallace, Divisional officer, Dindigul, was deputed to make the necessary investigation.

3. In addition to the question of acquiring lands permanently damaged or washed away by the action of the Periyár water, there are two connected matters which have been also under investigation, namely, the question (1) of the compensation to be given to owners of lands silted up by the flow of Periyár water, and (2) the course to be adopted in the case of former wet lands which have been cut off by the Periyár channel from their source of irrigation and are now dry. The lists prepared by the Public Works Department embraced lands falling under both these categories and Mr. Wallace's enquiry has similarly included them.

4. As regards lands, which are permanently damaged and which should be acquired, Mr. Wallace has personally inspected every field marked in the schedule prepared by the Public Works Department and has followed the course of the river, field by field, through Melakudalur, Keelakudalur, Cumbum, Naranathevanpatti, and Kamayakavandanpatti villages. The result is that, with slight exceptions, Mr. Wallace finds that the lands entered in the Public Works Department lists have actually been damaged and rendered unfit for cultivation owing to the letting down of Periyár water. Mr. Wallace's opinion is based on his personal inspection, aided by a comparison of the old and new courses of the river; his estimate of the extent damaged in each case is dependent on the extent of cultivation in the undamaged portion of the damaged fields during the last two or three years. The result of Mr. Wallace's inspection is to show that 147·98 acres have been washed away or damaged; the area according to the previous Public Works Department list was 152·40 acres. Copies of the original Public Works Department schedule and lists, as modified by Mr. Wallace, are submitted for convenience of reference.

5. In regard to these cases, as well as those which relate only to the question of compensation for the deposit of silt or the deprivation of irrigation, Mr. Wallace's enquiry has proceeded on the assumption that the survey made by the Public Works Department in 1902 correctly represented the state of things then existing, and he has confined himself to deciding whether the damage done by 1902 was directly due to the Periyár. In some instances, further damage appears to have taken place since 1902, but Mr. Wallace holds that damage, which had not occurred in 1902, need not now be taken into account. His argument is that, sooner or later, the Periyár must be regarded as a river and not as a channel formed by the action of Government. While Government may be responsible for damage caused by the latter, it need undertake no responsibility in regard to the former. Mr. Wallace contends that after 1902 (six years after the opening of the project), there is no longer any need to regard the Periyár as anything but a river, and on this ground he considers that damage occurring since 1902 may be left out of consideration. I request orders on this view, which appears to me to be reasonable. If it is not accepted, a fresh survey by a professional officer will be necessary to determine the actual extent damaged up to the present date, and further periodical re-examinations will be required to settle later claims, so long as the responsibility of Government for the vagaries of the river continues to be admitted.

6. Accepting Mr. Wallace's view that the damage, for which Government is responsible, ceased in 1902, all that now remains to be done in regard to lands, which it is proposed to acquire, is to accept as sufficient Mr. Wallace's enquiry, to prepare revised land plans and schedule, and to appoint a special officer to make the acquisition. Before recommending this course, however, I have the honour to invite attention to certain considerations advanced by Mr. Wallace in favour of a further postponement of a decision. It is pointed out that the proposals, understood to be now under consideration in the Public Works Department for an increase in the storage capacity in, and the discharge from, the Periyár lake, and for the provision of reservoirs near the foot of the hills, will involve the acquisition of a considerable area of land for the reservoirs. Mr. Wallace points out that many of the fields, which are now found to be damaged, will probably have to be acquired for the purposes of the reservoir or reservoirs. He suggests, therefore, that there is no use in subdividing these fields and acquiring the damaged portions, if, within a short time, there is a propect of the whole fields being acquired. This view is supported by the Executive Engineer and I submit it for the Board's consideration. The proposal for postponement on this ground applies chiefly to the villages of Melagudalur and Keelagudalur; in regard to the lands in the other villages, however, a somewhat similar consideration, not alluded to by Mr. Wallace, applies. When the discharge from the Periyár lake is increased, the river is, I understand, not unlikely again to change its course, under the influence of the augmented volume of water; at any rate, the increased supply will probably lead to further erosions. In his letter No. 1336-M.D., dated 19th September 1902, read in Board's Proceedings, Mis. No. 742, dated 26th February 1903, the Superintending Engineer alluded to the desirability of acquiring a margin of land on each side of the river, so that erosions would affect no private interest. I submit that this suggestion needs consideration, if, as anticipated, erosions are likely to follow the increase in the capacity of the lake. If it is decided then to acquire lands along the margin of the river, it will be unnecessary to subdivide now and acquire small portions of fields, which will eventually be acquired as a whole. I recognise that further delay in the settlement of a long-standing claim to compensation is undesirable; on the other hand, the waste of time and labour in making two separate surveys and acquisitions in the same fields would be considerable, and on this ground, I would recommend a decision on the Superintending Engineer's proposal before any acquisition is undertaken.

7. Turning to the means to be adopted for compensating the owners of lands, which have been damaged by the deposit of silt from the Periyár water, the proposal of the late Executive Engineer, Mr. Keeling, made in consultation with the Sub-Collector (Mr. Thornton), was that compensation at the rate of Rs. 75 per acre should be paid for the cost of removing the silt. This rate is also accepted by the present Executive Engineer. The area in question is found by Mr. Wallace to amount to

13·23 acres and in ordinary circumstances, I would recommend that the long delayed compensation should be paid on this area. But the prospect of increased supply in the Periyár affects this question also. It is *primâ facie* likely that lands, so situated as to be silted over, will be further damaged, when the volume of water is increased; if compensation is now paid and the money is expended on removing the silt, that money will have been wasted, if a few years hence the lands are acquired. I submit therefore that, in this connection also, a very early decision is necessary on the proposal to acquire the lands on both sides of the river. Even if these lands are acquired and subsequently proved to be outside the range of damage by erosion, they can be sold again, probably with profit.

8. As regards lands cut off from their source of irrigation, Mr. Wallace alludes to the possibility of providing sources of irrigation in connection with the new reservoir. This suggestion again involves postponement of the matter for the present. If this is regarded as undesirable, I propose to ask the Public Works Department to investigate separately the possibility of special arrangements to irrigate those lands from the present sources, failing which money compensation would have to be paid in each case.

9. I have not alluded in detail to the remarks of Mr. Wallace in paragraph 18 of his letter regarding the possibility of giving land instead of money to the persons claiming compensation; they are mainly conditional on the decision as to the new reservoir, and, moreover, they concern only the question of the form in which compensation can be given, and not the main question of the principle on which it is to be given.

ENCLOSURES.

Name of village.	Survey number.		As per Engineer's statement.		As per Divisional-officer's statement.			
			Extent washed away or damaged.		Extent washed away or damaged.		Extent unirrigable.	
	889	..	1	85	1	85	1	89
	888	..	..	17	..	17	3	34
	839	..	..	98	..	98	..	14
	838	..	1	8	1	8	..	..
	801	..	1	60	1	60	1	40
	1,714	..	..	23	..	23	..	95
	1,715	..	..	53	..	53	..	25
	1,726	..	..	77	..	77	..	95
	1,717	..	1	4	1	4	..	56
	454	..	2	11	2	11	1	..
	1,716	..	..	32	..	32	6	66
	1,727	..	..	65	..	65	1	42
	1.731	..	..	69	..	69	..	37
	1,737	..	..	28	..	28	..	65
	1,738	..	..	98	..	98	..	60
	1,740	..	..	21	..	21	..	31
	1,760	..	..	26	..	26	..	70
	1,768	..	..	10	..	10	..	..
Kilákudalur ..	1,802	..	1	82	1	82	..	..
	1,762	..	2	53	1	50	..	93
	897	..	..	32	..	32	..	..
	900	..	..	15	..	15	..	17
	894	(a)	..	14	..	14	..	..
	..	(b)	..	22	..	22	..	28
	771	..	1	17	1	17	..	..
	887	..	..	52	..	52	1	..
	874	..	..	65	..	65	1	9
	873	..	..	39	..	39	..	35
	872	..	..	44	..	44	..	42
	871	..	..	25	..	25	1	..
	862	..	..	17	..	17	3	31
	860	..	..	80	..	80	..	..
	855	..	1	8	1	8	..	..
	805	..	..	36	..	36	..	..
	803	..	2	24	2	24	..	..
	826	..	1	37	1	37	..	25
	827	..	..	28	..	28	..	..
	494	..	1	60	..	58	..	50

Name of village.	Survey number.		As per Engineer's statement.		As per Divisional-officer's statement.			
			Extent washed away or damaged.		Extent washed away or damaged.		Extent unirrigable.	
	422	..	..	51	..	51	..	..
	428	..	..	50	..	50	..	..
	459	..	2	6	2	6	..	75
	448	..	1	1	1	1	..	..
	430	(b)	..	76	..	..	..	81
	..	(c)	..	..	..	50	..	16
	433	..	..	1	..	..	..	..
	429	..	1	30	1	30	..	42
	1,725	..	..	67	..	67	1	7
	1,734	..	..	15	..	15	..	..
	1,741	..	..	29	..	29	..	..
	427	(a) & (c)	..	57	..	57	..	..
	..	(b)	..	86	..	..	..	..
	1,757	..	..	33	..	33	..	42
	1,834	..	..	51	..	..	..	..
	1,755	..	..	23	..	23	..	..
	1,756	..	..	6	..	6	..	9
	1,767	..	..	32	..	32	..	..
	1,803	..	..	58	..	58	..	..
	1,776	..	3	90	3	90	..	..
	840	..	1	11	1	11	..	..
	495	..	..	43	..	43	..	..
	1,775	..	..	41	..	41	..	..
Kilakudalur—*cont*	1,742	..	..	8	..	8	..	..
	1,832	..	..	2	..	2	..	..
	1,868	..	3	17	3	17	..	..
	1,765	..	..	55	..	55	..	..
	1,758	..	..	35	..	35	..	..
	896	..	..	12	..	12	..	..
	878	..	..	17	..	17	..	..
	898	..	..	17	..	17	..	..
	802	..	..	50	..	50	..	..
	825	..	..	68	..	68	..	..
	833	..	..	19	..	19	..	..
	491	..	..	18	..	18	..	..
	460	..	..	10	..	10	..	..
	455	..	..	2	..	2	..	..
	431	..	..	53	..	53	..	..
	417	..	1	90	1	90	..	..
	1,759	..	..	4	..	4	..	..
	1,763	..	..	33	..	33	..	..
	1,764	..	..	56	..	56	..	..
	1,804	..	..	57	..	57	..	..
	437	..	..	22	..	22	..	..
	447	..	..	62	..	62	..	..
	498	(b)	..	..	..	..	1	37
	824	..	..	..	..	..	..	81
		Total ..	57	99	54	30	36	39
	2,555	..	..	54	..	54	..	..
	2,540	..	..	23	..	23	..	..
	2,552	..	1	36	1	36	..	..
	2,553	..	..	51	..	51	..	..
	2,541	..	..	34	..	34	..	..
	2,551	..	6	70	6	70	..	..
	2,554	..	..	40	..	40	..	..
	2,538	..	..	25	..	25	..	..
Melakudalur ..	2,533	..	3	7	2	61	..	..
	2,531	..	..	60	..	60	..	..
	2,526	..	19	68	18	83	..	..
	2,524	..	..	2	..	2	..	..
	2,517	..	1	50	1	50	..	..
	2,297	..	9	12	9	12	..	..
	2,342	..	2	65	2	65	..	..
	2,258	..	..	7	..	7	..	..
	2,535	..	..	35	..	35	..	..
		Total ..	47	39	46	8	..	..
	183	..	..	20	..	26	..	..
	186	..	1	9	1	9	..	..
	203	..	..	58	..	58	..	..
	206	..	..	28	..	28	..	95
	207	..	..	4	..	4	..	..
	205	..	..	31	..	31	..	..
Cumbum ..	251	..	1	3	1	3	1	68
	276	..	..	72	..	72	..	..
	279	..	..	58	..	58	..	..
	281	..	1	14	1	14	..	..
	395	..	1	23	1	23	..	..
	250	..	..	6	..	..	..	..

Name of village.	Survey number.		As per Engineer's statement.		As per Divisional-officer's statement.			
			Extent washed away or damaged.		Extent washed away or damaged.		Extent unirrigable.	
Cumbum—*cont* ..	252	..	..	54	..	54	..	..
	389	..	..	11	..	11	..	..
	171	..	..	14	..	14	..	..
	394	..	1	32	1	32	..	12
	277	..	..	..	..	..	..	..
		Total ..	9	37	9	37	2	75
Naranathevan-patti.	884	..	..	44	..	44	1	8
	885	..	..	21	..	21	..	..
	887	..	..	24	..	24	..	..
	890	..	..	3	..	3	..	..
	891	..	..	8	..	8	..	..
	892	..	..	30	..	30	..	..
	937	..	..	16	..	16	..	..
	940	..	..	19	..	19	..	..
	951	..	..	16	..	16	..	..
	961	..	..	52	..	52	..	..
	954	..	1	6	1	6	..	..
	959	..	2	58	2	58	..	..
	1,194	..	..	36	..	36	..	..
	1,185	..	..	49	..	49	..	..
	1,202	..	..	35	..	35	..	..
	1,200	..	1	29	1	29	..	..
	1,199	..	..	44	..	44	..	..
	1,163	..	1	81	1	81	..	..
	1,162	..	..	80	..	80	..	..
	1,228	..	..	36	..	36	..	45
	1,227	..	1	69	1	69	..	29
	1,231	..	..	81	..	81	..	..
	1,226	..	..	11	..	11	..	..
	1,241	..	..	4	..	4	..	27
	1,240	..	..	10	..	10	..	8
	1,238	..	..	11	..	11	..	..
	1,237	(*b*)	..	32	..	32	..	..
	1,244	(*b*)	..	39	..	39	..	..
	1,245	(*b*)	..	2	..	1	..	..
	1,258	..	..	4	..	4	..	..
	1,261	..	..	69	..	69	..	..
	1,262	..	..	42	..	42	..	..
	1,271	..	..	4	..	4	..	..
	1,273	..	..	5	..	5	..	4
	1,323	..	..	47	..	47	..	..
	1,159	..	..	21	..	21	..	..
	1,157	..	..	3	..	3	..	..
	1,304	..	1	60	1	60	..	..
	1,303	..	1	4	1	4	..	..
	1,302	..	1	67	1	67	..	..
	1,301	..	..	12	..	12	..	..
	1,300	..	..	18	..	18	..	..
	1,239	..	..	40	..	40	..	..
	1,229	..	..	3	..	3	..	42
	1,230	..	..	..	..	..	..	51
	1,244	(*a*)	..	..	..	20	..	..
	1,263	..	..	5	..	5	..	..
	1,264	..	..	2	..	36	..	..
	1,218	..	..	..	..	5	..	..
		Total ..	22	52	23	10	3	14
Kamayakoundan-patti.	120	..	..	98	..	98	..	..
	184	..	..	81	..	81	..	..
	186	..	1	10	1	10	..	..
	194	..	..	35	..	35	..	..
	195	..	..	94	..	94	..	..
	198	..	1	24	1	24	..	..
	199	2	1	32	1	32	..	..
	202	(*a*)	..	45	..	45	..	..
	204	(*a*)	..	22	..	22	..	..
	672	(*a*)	..	47	..	47	..	..
	..	(*b*)	..	6	..	6	..	..
	669	..	..	60	..	60	..	..
	666	..	..	22	..	22	..	..
	665	..	..	68	..	68	..	..
	664	(*a*)	..	7	..	7	..	..
	656	(*d*)	..	4	..	4	..	..
	661	..	..	22	..	22	..	..
	496	(*a*)	..	30	..	30	..	..
	..	(*b*)	..	30	..	30	..	..

Name of village.	Survey number.		As per Engineer's statement.		As per Divisional-officer's statement.			
			Extent washed away or damaged.		Extent washed away or damaged.		Extent unirrigable.	
Kamayakavandanpatti—*cont.*	495	..	..	23	..	23	..	..
	486	..	..	43	..	43	..	..
	483	(a)	..	4	..	4	..	..
	474	..	..	41	..	41	..	..
	472	..	..	13	..	13	..	..
	458	..	..	24	..	24	..	..
	457	..	..	3	..	3	..	..
	416	..	..	7	..	7	..	..
	249	..	..	17	..	17	..	..
	246	..	..	2	..	2	..	..
	245	(a)	..	22	..	22	..	..
	..	(b)	..	18	..	18	..	..
	247	..	..	1	..	1	..	..
	232	..	..	25	..	25	..	..
	231	..	..	11	..	11	..	..
	230	..	..	15	..	15	..	..
	407	(b)	..	12	..	12	..	..
	406	(a)	..	18	..	18	..	..
	415	..	..	1	..	1	..	..
	370	..	..	10	..	10	..	..
	368	..	..	19	..	19	..	..
	366	..	..	13	..	13	..	..
	361	..	..	37	..	37	..	..
	359	..	..	11	..	11	..	..
	354	..	..	13	..	13	..	..
	352	..	..	46	..	46	..	..
	351	..	..	27	..	27	..	..
		Total ..	15	13	15	13	..	..
		Grand Total ..	152	40	147	98	42	28

Name of village.	Survey number.		As per Engineer's statement.				As per Divisional officer's statement.	
			Extent silted up.		Extent swamped.		Extent silted up or swamped.	
			A.	C.	A.	C.		
Kilakudalur	889	..	1	5	..	..	..	26
	888	..	3	10	..	..	..	47
	839	..	..	16	..	..	..	..
	838	..	..	2	..	..	..	..
	801	..	..	64	..	..	..	..
	1,714	..	..	42	..	..	..	..
	1,715	..	..	7	..	..	..	7
	1,726	..	..	27	..	..	..	27
	1,717	..	..	40	..	..	..	40
	454	..	..	41	..	..	..	11
	1,716	..	4	57	..	..	..	..
	1,727	..	..	51	..	..	..	51
	1,731	..	..	2	..	..	..	2
	1,737	..	..	37	..	..	..	37
	1,738	..	..	43	..	..	..	..
	1,740	..	..	21	..	..	..	..
	1,760	..	..	70	..	..	..	..
	1,768	..	1	70	..	..	1	70
	1,802	..	1	60	..	..	1	60
	1,762	..	1	78	..	..	1	78
		Total ..	18	43	..	..	7	56
Cumbum	183	..	..	6	..	..	..	..
	186	..	..	30	..	..	..	30
	203	..	..	55	..	..	..	55
	205	..	..	40	..	..	..	40
	251	..	..	6	..	..	..	6
	394	..	..	22	..	..	..	..
	395	..	..	36	..	..	..	36
	277	..	..	12	..	..	..	..
	250	..	..	3	..	..	..	..
		Total ..	2	10	..	..	1	67

Name of village.	Survey number.		As per Engineer's statement.				As per Divisional-officer's statement.	
			Extent silted up.		Extent swamped.		Extent silted up or swamped.	
			A.	C.	A,	C.		
	1,194	..	..	..	..	39	..	39
	1,203	..	..	..	..	25	..	..
	1,210	..	..	..	..	57	..	..
	1,200	..	..	..	..	49	..	49
	1.199	..	..	..	..	30	..	..
	884	..	..	..	..	50	..	50
	959	..	..	47	..	..	..	47
	1,228	(b)	..	45	..	..	..	..
	1,227	..	..	12	..	..	..	12
	1,229	..	..	32	..	..	..	..
	1,230	..	..	51	..	..	..	..
	1,231	..	..	24	..	..	..	24
Naranathevan-patti.	1,241	..	..	27	..	..	..	27
	1,240	..	..	8	..	..	..	..
	1.238	..	..	20	..	..	..	20
	1,237	(b)	..	14	..	..	..	14
	1,244	(a)	..	20	..	..	..	..
	1.245	(b)	..	28	..	..	..	..
	1,258	..	..	29	..	..	..	..
	1,261	..	..	55	..	..	..	55
	1,263	..	..	36	..	..	..	..
	1,264	..	..	36	..	..	..	..
	1,271	..	..	2	..	..	..	2
	1,273	..	..	12	..	..	..	12
	1,157	..	..	29	..	..	..	29
	1,218	..	..	5	..	..	..	..
	Total ..		5	32	2	50	3	80
	198	..	..	79	..	..	..	..
	352	..	..	11	..	..	..	11
	354	..	..	2	..	..	..	2
	359	..	..	4	..	..	..	4
	365	..	..	3	..	..	..	3
	391	..	..	..	1	35	..	..
	405	..	..	..	..	6	..	..
	252	..	..	..	..	12	..	..
	390	..	..	..	..	20	..	..
Kamayakavan-danpatti.	389	..	..	..	..	23	..	..
	280	..	..	..	..	1	..	..
	375	..	..	..	1	26	..	..
	231	..	..	..	..	46	..	..
	398	..	..	..	1	5	..	..
	230	..	..	..	..	46	..	..
	253	..	..	..	..	79	..	..
	395	..	..	..	..	22	..	..
	249	..	..	..	..	43	..	..
	396	..	..	..	..	62	..	..
	397	..	..	..	..	26	..	..
	Total ..		..	99	7	52	..	20
	Grand Total ..		26	84	10	2	13	23

From E. H. WALLACE, Esq., I.C.S., Acting Sub-Collector, Dindigul, to the Collector of Madura, dated Camp Palni, 28th August 1904, D. Dis. No. 1620-Rev. of 1904.

With reference to your R.O.C. No. 384/Bd. & Govt. of 1904, dated 20th April 1904, on the Resolution Mis. No. 2026 of the Board of Revenue, dated 11th April 1904, regarding the inspection of Periyár damaged lands, I have the honour to submit the following report.

2. I personally inspected every field marked as damaged in the Public Works Department lists and followed the course of the river field by field through Melakudalur, Kilakudalur, Cumbum, Naranathevanpatti and Kamayakavandanpatti villages.

3. Prior to the advent of Periyár water, a small stream came down the south-west corner of the valley. This stream was called Siganadi or Vairavanadi in Melakudalur and Kilakudalur villages. In Kilakudalur it was originally split up into two channels called Chinna Vaikkal and Ottu Vaikkal. The stream followed the course of the latter. In Cumbum village it became known as the Sittár. In Naranathevanpatti it joined the Suruli river from the south-east and took its name, but was known again as the Sittár in Kamayakavandanpatti.

4. I have indicated in blue pencil in the Public Works Department plans 1, 2A, 2B, 3, 4 and 5 the original course of this stream. The portions enclosed in red lines in the same plans show the present bed of the Periyár. So the diversions of the present river from the old stream bed may be easily seen.

5. I would remark at the outset that the washing away of land by the Periyár river is still continuing and will continue to some extent and that therefore the measurements taken and plottings made in 1902 in many cases, show as washed away an area actually smaller than is now washed away. It has to be decided once for all whether we are to take account now and in the future of the continual corroding which will go on for several years yet, or whether it must not be held that to all intents and purposes the Periyár is now and has been for some years a river, for the vagaries and shiftings of which Government, as in the case of other rivers, cannot be held responsible. I have proceeded in my inspection, on the assumption that in 1902 when the Public Works Department lists and plans were drawn up, the Periyár was a river and that erosions which have taken place since then, cannot be taken into account and have accepted these plans and lists as final and confined myself to seeing that the actual areas shown in the Public Works Department lists of 1902 were really damaged by the Periyár. If this view is not held, a fresh survey by a professional surveyor (since many of the stones are at the bottom of the river) will have to be held. This again would not be final, and it would be a difficult matter to determine when finality will be reached.

6. I shall take the villages in order and give my reasons for considering what damage if any has been done to the lands in the list by the Periyár.

7. *Melakudalur.*—The present bed of the Periyár is from 15 to 20 feet lower than the bed of the old stream. This is plain from the old abandoned Vairavan anicut (shown in plan 1). It was built across the old stream, but is now high and dry some 15 feet above the present bed. It is also plain from that anicut that the whole volume of Periyár water has found its bed considerably to the south of the old bed and has in consequence washed away the lands in that direction. Generally speaking in Melakudalur throughout the river bed is now from 15 to 20 feet below the bed of the old stream and from the plan and present appearance of the river it is clear that it has made its own bed irrespective of the old stream bed and that damage to the portions of lands now washed away by it is wholly due to the new volume of water introduced and would not have occurred with the small volume of the old stream. The old course of the stream was as follows :—

Survey number.		Area.
2249	Government waste ...	River not demarcated.
2342 S	River	22·38.
2297 Z	Do.	9·14.
2526	Government waste ...	River not demarcated.
2531	Do. ...	Do.
2533	Do. ...	Do.
2535	Do. ...	·05 } all the area of Government waste in the fields—river not demarcated.
2538	Do. ...	·13 }
2554	River	·82.
2551	Government waste ...	·82 all the area of Government waste in the fields—river not demarcated.

8. Inspection of particular fields in Melakudalur is difficult owing to the immense size of several fields and the numerous settlement sub-divisions which have not been plotted and had to be determined by actual enjoyment only. I enclose fair copy of my inspection notes. I have satisfied myself that the areas noted in the Public Works Department list have been washed away by the Periyár river, with the exception of three cases which I have included in my list marked A (which is a list of the mistakes found in the original Public Works Department lists). These three cases are not in my opinion entitled to compensation being dry lands and still cultivable. The other cases are entitled to compensation having been washed away or permanently damaged by Periyár water.

9. *Kilakudalur.*—In this village throughout the present bed of the Periyár is from 10 to 20 feet lower than the old stream bed and this indicates that the river has made its own course. A reference to the Public Works Department plans 2A and 2B will show that the present course of the river is practically in its entirety different from the old course. There can be no doubt then that the damage to the lands now forming the Periyár bed was wholly due to the volume of water let down under the Periyár scheme. The old odai was throughout this village, both before and after the diversion into the two vaikkals, separately demarcated, so there is no doubt

of the old course and its requirements. Its course was as shown in the plan; whole fields being reserved as odai or vaikkal porambokes except in the cases of 1775B, 1766B, 1868P, 427A, 427C, 429A, and 430D. It is evident that the present river has left the majority of these porambokes high and dry about 15 feet above it.

10. I enclose copy of my inspection notes of Kilakudalur fields. List A will as above show the corrections to be made in the Public Works Department list. List B shows an extract from the full list of wet lands rendered unirrigable owing to the Periyár river. I shall refer to this matter later on. With the exception of the mistakes noted in list A, I am satisfied that the areas shown in the Public Works Department list have been washed away and silted up directly by the action of the Periyár water.

11. *Cumbum.*—Perusal of Public Works Department sheet No. 3 will show that again the Periyár river has made its own course. In Cumbum village as a rule the bed of the river is some 8 to 10 feet below the old stream bed. The old stream was separately demarcated in the village plan and occupied whole fields throughout, so that it is easy to see from the plan how far the Periyár water has diverged from the old course and it is plain that it is the Periyár water alone which has ploughed its way through the fields and damaged them.

12. I enclose copy of my inspection notes on the Cumbum fields. List A shows mistakes in the Public Works Department list. With the exception of these, I am satisfied that the areas shown in the Public Works Department list have been damaged directly by the Periyár water.

13. *Naranathevanpatti.*—Just when the Periyár enters this village, it joins forces with the Suruli river. A perusal of the Public Works Department sheet 4 will, I think, show that the addition of the Periyár water caused the Suruli to change its old course considerably, and it cannot, I think, be gainsaid that the damage caused to the fields was directly due to the addition of the Periyár water.

The old river course was separately demarcated all the way and occupies whole fields, so that the divergence of the present river can easily be traced.

14. Copy of my inspection notes of this village is enclosed. List A shows the cases to be deducted. In other cases, I am satisfied that the areas shown in the list have been actually damaged by the Periyár water.

15. *Kamayakavandanpatti.*—Inspection of sheet 5 will show that the river has kept its bed in this village and that the damage is mainly washing away of banks, due to the greater volume of water let in. The river bed has been separately demarcated throughout in this village. Copy of my inspection notes is enclosed. List A shows the corrections to be made in the Public Works Department list. The other areas are, in my opinion, damaged by the additional volume of water let down from the Periyár.

16. List D shows for the five villages the portions shown in the Public Works Department lists as silted up which are really cultivable and for which no compensation should be given.

17. So far I have given my opinion as based on a comparison of the old and present plans, inspection of the fields themselves and consideration of the extent of cultivation on undamaged portions within the last two or three years. I wished also to get if possible the cultivation accounts, remission lists, water-rate lists, etc., of the villages *prior* to and just after the advent of the Periyár water, so that I might be able to form an opinion of the damage done by comparing directly the extent of cultivation just before the Periyár water with that just after it. But I was informed that all these accounts have been filed as exhibits in the Peranai dam suit and that they could not be sent to me. Such a comparison might show that the areas now shown as damaged, which are, of course, the actual and maximum damage present in 1902, may be excessive, and that portions of fields now included might have been washed away by floods or accident prior to the advent of the Periyár water. Certainly the ryots' cause would not suffer from the absence of these accounts.

18. In considering the question of awarding compensation for these damaged areas, there are several points which I wish to indicate :

I. The Public Works Department proposes to build a large reservoir at the bed of the valley, and I understand that the eventual line of the bund is almost fixed. In any case, it will be somewhere in Kilakudalur village. This will mean that all the lands in Melakudalur village, below the Kuruvanuth bridge, will have to be acquired, and practically all those in the present Melakudalur list will be in the bed of the reservoir. It seems to me therefore little use sub-dividing the present damaged portions for the purposes of acquisition when in no very long time the whole fields themselves will have to be acquired. The same remark will apply to all the Kilakudalur lands which will be within the bund of the reservoir.

II. I wish to draw attention to the list, I call list B, of lands which were wet and are now not irrigable. The Periyár water cut directly across the line of numerous irrigation channels which run from the old stream to the east, and owing to the depth of the cutting made by the Periyár for its bed, these channels would not be reconstructed or carried across the river. One ryot has constructed at his own expense a pipe channel over the river to irrigate his fields, but this cannot be done in most cases. I think that Government is bound to compensate

these landowners for the loss of their irrigation sources. The extent comes to nearly 50 acres. I would suggest that the Department of Public Works construct a channel running on the east side of the river from the new reservoir to feed these lands. This would dispose of the question of compensation. It would, in my opinion have a further advantage. There is a good deal of waste land on the east side of the river. If the channel were made high enough, much of it could be brought under cultivation and these waste lands could be given largely in exchange for the present damaged lands and the amount of money compensation to be actually paid would be very little if any at all. Again, if the lands now cut off from their old irrigation sources were given a supply for two crops, this advantage might, I consider, be fairly set off against the loss of a portion of the field swept away by the Periyár. If the ryots would not come to terms, the best course would be to acquire the lands at the price of single-crop wet lands which they were, and then sell them again as double-crop lands; but I believe on the whole the ryot would much prefer fresh land or better facilities for his present land to money compensation and I am almost certain that in this way no money compensation would be required at all.

III. A similar kind of policy could be pursued regarding the drainage-affected lands. I have only come across two cases in my inspection of lands which are both damaged and drainage affected (see list C), but clearly if a ryot's land was originally dry, but is now convertible into double-crop wet and more valuable owing to the increased supply in the channels from the Periyár water, he ought to forego an equivalent loss owing to damage done by the Periyár. If he does not agree, then the course is as before to acquire his land at the purchase price of dry land, and sell it as wet land.

IV. Another point to be considered, is that the supply in all the main channels, Vairavan channel (taking off at Kuruvanuth), Ottu vaikkal and Chinna vaikkal, which feed all the five villages we are concerned with,—which supply was previously precarious,—is now full and constant, and this ought, I consider, to be considered as a set-off to the damage done by the Periyár water.

V. If these points are to be taken into consideration it is plain that each individual field will have to be a subject of special consideration and that the calculation of compensation on land to be given in exchange will be a matter of some complication and time. I would suggest that the Department of Public Works be asked to complete their reservoir scheme as speedily as possible and that, if feasible, an irrigation channel on the east be added to the scheme, that, if Government sees fit, a special officer be appointed for the acquisition of lands required for the reservoir and for the definite settlement of this compensation question on the lines I have indicated. Pending the disposal of this matter I think that all conversion of drainage-affected lands from dry to wet in the five villages should be stopped. I have also unofficially told the Deputy Tahsildar not to grant any waste land in the five villages on darkhast until further orders and will now tell him officially not to do so.

19. The Department of Public Works plans and sheets sent with your R. O. C. No. 384/B & B, dated 20th April 1904, and 9th June 1904 are herewith resubmitted.

Read—also the following Board's Reference thereon, No. 3720, dated 24th October 1904:—

Reference—No. 3720, dated 24th October 1904.

The letter from the Collector of Madura read above will be forwarded to the Chief Engineer for Irrigation for favour of early remarks with special reference to the questions raised by him in paragraphs 6 to 8.

(Signed) V. K. RAMANUJA CHARI,
Secretary.

Read—also the following memorandum from A. H. GARRETT, Esq., Chief Engineer for Irrigation, to the Secretary to the Commissioner of Revenue Settlement, and Director of the Department of Land Records and Agriculture, dated 30th November 1904, No. 4048:—

[*Reference.*—Board's Reference, No. 3720, dated 24th October 1904.]

The Chief Engineer for Irrigation is of opinion that the question of compensation should not be delayed until a decision has been come to in regard to a reservoir on the plains.

2. It is practically certain that a lower reservoir will eventually be constructed, but it may be some years before the work is sanctioned.

3. The kumili cut, by means of which water will be passed down the Periyár lake to the lower reservoir, is also a work which is not likely to be postponed much longer.

4. The Government have approved in G.O., No. 1125 I., dated 13th October 1904, and forwarded to the Government of India for sanction an estimate, amounting to Rs. 4,42,000, for increasing the storage capacity of the Periyár lake.

5. With everything pointing to an increased discharge of Periyár water in the near future, the acquisition of land on both sides of the Suruli, as recommended by the Superintending Engineer in his letter, No. 1336-M.D., dated 19th September 1902, recorded in G.O., No. 102 I., dated 31st January 1903, is undoubtedly the right course to pursue.

6. The original papers received with the Board's reference are herewith returned.

Resolution—Mis. No. 6905, dated 19th December 1904.

The papers read above will be submitted for the orders of Government, with reference to the correspondence ending with their Order No. 781, Revenue, dated 28th April 1904, regarding the compensation payable for lands rendered permanently unfit for cultivation by the Periyár water in the Periyakulam taluk.

2. In their order quoted above, Government agreed with the Board that the opinion of the Collector was indispensable in the selection of the lands to be acquired. A detailed investigation was accordingly made by Mr. Wallace, Divisional-officer, Dindigul, with the result that he found that 147·98 acres had been washed away or damaged against 152·40 acres reported by the Public Works Department. It is reported that, in making this investigation, the Divisional-officer left out of consideration any damage, which may have taken place since 1902, on the ground that, sooner or later, the Periyár must be regarded as a river and that Government should not be held responsible for its action. The Board considers that this view may be accepted and that the question of compensation should not be delayed until a decision is arrived at as regards the construction of a lower reservoir on the plains. The Chief Engineer states that it will take some years before this work is sanctioned.

3. In carrying out the investigation, the Divisional-officer also considered the question (1) of the compensation to be given to owners of lands silted up by the flow of the Periyár water and (2) the course to be adopted in the case of wet lands, which have been cut off by the Periyár channel from their source of irrigation and which are now dry. The Collector's proposal in regard to the former is contained in paragraph 7 of his letter. The extent involved is reported to be 13·23 acres and the compensation payable is estimated at Rs. 75 per acre. The Board considers that the payment of compensation as regards these lands also should not be delayed any longer. As to the lands cut off from their source of irrigation, the Collector proposes to address the Public Works Department regarding the possibility of making special arrangements for their irrigation. The result of this reference may be awaited before deciding as to the compensation payable for them.

(True Copies and Extract.)

(Signed) V. K. RAMANUJA CHARI,
Secretary.

To the Secretary to Government, Revenue Department,
with a file of papers marked A to J to be returned.

Order—No. 418, Revenue, dated 11th May 1905.

Miscellaneous.

The Government accept Mr. Wallace's finding that the 147·98 acres of land detailed in his first list were rendered permanently unfit for cultivation as a result of the letting down of Periyár water. These lands should be acquired forthwith under the Act.

2. The 13·23 acres of land which was silted up should also be acquired, and the Government consider that steps should be taken to acquire such further lands as may be necessary for the purpose of controlling the river.

3. The question of the arrangement to be made to supply water to the lands which have been cut off from their source of irrigation will be settled in the Public Works Department on receipt of the further report promised by the Collector.

4. Orders will be issued in the Public Works Department regarding provision of the necessary funds.

(True Extract.)

(Signed) A. G. CARDEW,
Ag. Secretary to Government.

To the Board of Revenue (Revenue Settlement, Land Records and Agriculture), with enclosures.
„ the Public Works Department.
Copy to the Financial Department.

Exd. V. Ramachandra Rao.

55 Copies.

REVENUE DEPARTMENT.

NOTES CONNECTED WITH G.O., No. 418, REVENUE, DATED 11TH MAY 1905.

[SUBJECT.—*Compensation for lands damaged by the Periyár water.*]

Proceedings of the Bord of Revenue (Revenue Settlement, Land Records and Agriculture), No. 6905, *dated* 19*th December* 1904.

To Under Secretary—

In G.O., No. 616, dated 16th July 1902, the Collector of Madura was requested to submit proposals for the acquisition of the lands which have been destroyed or rendered unfit for cultivation as the result of the letting down of the Periyár water. A survey of the affected area was made and a schedule of lands proposed to be acquired was prepared by the Public Works Department. The Revenue Divisional officer (Mr. Wallace) after personal inspection of every field shown in the schedule, reports—

(1) that 147·98 acres have been washed away or damaged owing to the letting down of the Periyar water;

(2) that 13·23 acres have been silted up or swamped; and

(3) that 42·28 acres of wet land have been cut off from their sources of irrigation.

2. The Divisional officer and the Executive Engineer point out that the proposals now under contemplation in the Public Works Department for the provision of reservoirs near the foot of the hills will involve the acquisition of a considerable area of land including the area now affected. They therefore suggest that there is no use in sub-dividing the fields which have been damaged and acquiring the damaged portions if within a short time there is a prospect of the whole fields being acquired. The Chief Engineer for Irrigation is, however, of opinion that the question of compensation should not be delayed until a decision has been come to in regard to a reservoir on the plains, although it is practically certain that one will eventually be constructed. The Board agrees with him. The cost of acquisition will amount to about Rs. 34,759.

Paragraph 1 of Board's Proceedings in G.O., No. 847, dated 6th May 1904.

3. As regards the lands which have been silted up or swamped, both the Collector and the Board recommend that compensation may be paid at the rate of Rs. 75 an acre which has been accepted by the former and present Executive Engineers. The sum payable amounts to Rs. 975. The Collector, however, points out that it is *primâ facie* likely that lands so situated as to be silted over, will be further damaged when the volume of water is increased and that if compensation is now paid and the money is expended on removing the silt, that money will have been wasted if a few years hence the lands are acquired. He submits therefore that even if these lands are acquired and subsequently proved to be outside the range of damage by erosion, they can be sold again, probably with profit.

But they might be cultivated in the meantime.
F.B.E.

4. As to the lands cut off from their source of irrigation, the Collector proposes to address the Public Works Department regarding the possibility of making special arrangements for their irrigation. The Board considers that the result of this reference may be awaited.

5. Mr. Wallace's enquiry did not extend to damages caused since 1902. He contends that after 1902 (six years after the opening of the project) there is no longer any need to regard the Periyár as anything but a river and that Government should not be held responsible for its vagaries. The Collector and the Board agree with him.

6. Orders are solicited as to—

(1) whether the 147·98 acres of damaged lands may be acquired;

May be done.
F.B.E.

(2) whether compensation may be paid for the 13·23 acres of silted up lands; and

May be done.
F.B.E.

(3) whether any enquiry should be made regarding the lands prejudicially affected by the Periyár water subsequent to 1902.

We may agree with the Board that it is not necessary.
F.B.E.
2-1-05.

7. The plans showing the original and present courses of the streams referred to in paragraph 4 of the Sub-Collector's report No. 1620, dated 28th August 1904, have not been sent up.

T.N.S.
31-12-04.

To Secretary—

F. B. Evans.
2-1-05.

This matter has been pending for a long time, and I think therefore that the acquisition should be proceeded with at once, even though it may turn out hereafter that other lands have to be acquired owing to increased discharge or for other reasons.

2. The acquisition of 147·98 acres may be sanctioned.

I would also sanction outright acquisition of 13·23 acres of land covered with silt. There is no sense in paying for removal of silt which may be deposited again in a year or two.

Steps should be taken to lease out the lands acquired annually; they will not improbably bring in a considerable sum, like the padugais in Gódávari and Kistna.

3. I am afraid the proposal to take no account of lands damaged since 1902, won't hold water. If the damage is due to the increased volume of water passed down the river in consequence of the Periyár works Government is liable. We might consult the Advocate-General.

It is all a question of fact.
G.S.
17-1-05.

4. The proper course would seem to be, if practicable to train the river, and bring it under control, and to acquire all land likely to be damaged by it. Public Works Department can say whether this would now be feasible.

J. N. Atkinson.
3-1-05.

Public Works Department (Irrigation) for favour of remarks on the last paragraph of above note.

To the Public Works Department (Irrigation) u.o.

Public Works Department
(Irrigation Branch).

As soon as the land is acquired steps can be taken for checking further erosion under existing conditions. It is not possible to say what land will be liable to injury after the Kumili cut and lower reservoir are made, but as I have before said this should not interfere with the acquisition of land which is now affected.

A. H. Garrett.
10-1-05.

To the Revenue Department u.o.

REVENUE DEPARTMENT.

To Secretary—

F.B.E.
12-1-05.

To the Honourable Member—

Submitted for orders with reference to my note, dated 3rd January 1905, above.

J.N.A.
16-1-05.

I take it that Mr. Wallace has found the fact to be that the damage for which he proposes to compensate is due to the fact of increased supply being let down the river and to that alone. If so, compensation must be paid.

I think compensation should be at once paid, not delayed in any case.

I agree with the Secretary that 147·98 and 13·23 acres may be acquired at once.

I think land necessary to control the river should be acquired also.

Arrangement should be made to supply water to the lands which have been cut off from their source of supply.

G. S[TOKES].
17-1-05.

The compensation paid will be debited to the Periyár project. I think we had better get Public Works Department's remarks on the whole case before orders are drafted.

J.N.A.
25-1-05.

To the Public Works Department (Irrigation) u.o.

PUBLIC WORKS DEPARTMENT
(IRRIGATION BRANCH).

To Under Secretary—

The Hon'ble Mr. Stokes remarks that the compensation proposed may be paid if Mr. Wallace has found that the damage is due to the fact of increased supply being let down the river and to that alone. On this point reference is solicited to Mr. Hughes' note No. 123 *, dated 5th April 1898, in which he pointed out that all claims for loss by flooding below the Uttamat anicut were highly disputable and that they should be carefully scrutinized. He wrote: "on the banks of the Vairavanar down to its junction with the Suruliyar about $1\frac{1}{2}$ miles above the Uttamat anicut, I expect there will be many places where land or crops have been injured, but I should say ryots holding lands below this junction would have very great difficulty in proving that loss is due to Periyár water. While the Periyár works were in progress, the Uttamat anicut was rebuilt to its former length and also an additional anicut was built. Not only this, vents were made in the anicut capable of discharging all the Periyár water without the water level rising to crest level and these were intended to be kept open—and presumably have been—throughout the Periyár irrigation season. The maximum flood discharge is calculated to be 11,000 cubic feet per second, the ordinary flood discharge would perhaps be a fourth of this. The Periyár discharge is 1,100 cubic feet per second. It follows that the addition of the Periyár water would not raise the level of ordinary floods at all at the anicut and but to a small extent between the anicut and the Suruliyar-Vairavanar junction."

* Printed in G.O , No. 498, Financial, dated 2nd June 1898.

From Mr. Wallace's letter to the Collector it will be observed that in the case of the three villages, viz., Cumbum, Naranathevampatti and Kamayagoundanpatti lying below the Uttamat anicut, as in that of the villages above this anicut, he has stated specifically on personal inspection and examination, that the damage done was due to the Periyár water and that alone.

The questions for consideration in this department are—

(*a*) Whether the 13·23 acres of silted-up land ought to be acquired permanently or whether it is enough if compensation at Rs. 75 per acre is paid for the removal of silt.

(*b*) The head of account to which the compensation for the acquisition of 147·98 acres washed away or damaged by the Periyár water and the 13·23 acres of silted-up lands should be debited.

(*c*) What arrangements should be made for the irrigation of the 42·28 acres of wet lands which have been cut off from their source of supply and now become unfit for wet cultivation.

As regards (*a*) the Board recommends that compensation at Rs. 75 per acre should be paid for the removal of silt on these lands. But the Revenue Department is of opinion that there is no sense in paying for removal of silt which may be deposited again in a year or two and that these lands may as well be acquired. This view may, it is submitted, be accepted. As the rate of compensation for the removal of the silt is itself fixed at as much as Rs. 75 an acre, as the same rate will have to be paid when the silt is next deposited and removed and as the cost of acquisition may probably amount to Rs. 250 an acre, it may be found more economical in the long run to acquire the lands on payment of compensation. Moreover, if the proposal of the Superintending Engineer that a margin of land on both sides of the river should be acquired is adopted, it may be found that these lands will have to be acquired outright probably as part of the margin.

In his letter recorded in G.O., No. 102-I., dated 30th January 1903.

(*b*) With regard to the question of incidence of the cost, the following note is submitted :—

In 1898 when the question of the head of account to which the compensation proposed for the loss of crops damaged by the Periyár works in 1895 and 1896 was raised, the Board of Revenue stated that the charge should be debited to Land Revenue to which head the sale-proceeds of waste lands benefited by the Periyár channel were being credited under G.O., No. 1026, Revenue, dated 7th October 1892. With regard to this suggestion, the Financial Department, who were consulted, remarked that it was open to question whether charges on account of compensation for damages arising from the Periyár project were not more appropriately debitable to the project itself and that the orders of 1892 quoted by the Board in justification of the debit to Land Revenue were special and referred to a large sale of waste lands, the proceeds of which, amounting to more than 6 lakhs, could not properly be credited to the project. The Financial Department further stated that there was no head under 3. Land Revenue to which the expenditure could be debited. The question was thereupon referred to the local Accountant-General (Civil) with the enquiry why the charge should not be debited to the working expenses of the Periyár project. This officer stated that, as the charge was incidental to the execution of the project, it should in his opinion be treated as a part of the expenses of the project and be debited to the Public Works Department. Mr. Hughes, then Chief Engineer for Irrigation, through whom this communication was forwarded, remarked that although it was right that charges for injury to crops due to Periyár water should be debited to the project, any compensation to be paid for lands destroyed or rendered permanently unfit for cultivation should be debited to the head to which the sale-proceeds of waste lands benefited by the project were credited.

Paragraph 3 of G.O., No. 498, Financial, dated 2nd June 1898.

In G.O., No. 498, Financial, dated 2nd June 1898, it was directed that the amount of compensation to be paid should be treated as part of the project expenditure and should not be debited to the head Land Revenue. It will be observed from the original of this Government Order that no remarks or comments were made on the latter suggestion of Mr. Hughes, presumably because there was no necessity to consider it then, and the question of payment of compensation for the lands themselves which had been destroyed or permanently damaged had not been raised as at present.

The Resolutions of the Government of India printed in G.O., No. 362-I., dated 3rd August 1889 and G.O., No. 1026, Revenue, dated 7th October 1892, lay down that the sale-proceeds of waste or other lands not belonging to the works but directly benefited by their construction should not be credited to the direct Capital Account of the project (more especially in those cases where the Capital is provided from loan funds) but to the head Land Revenue as the lands are sold under the orders of the Civil Department, and that the project concerned may be credited annually in the Administrative Accounts with 4 per cent. of the amount realized by the sale. It will be observed, that this rule deals with the crediting of the sale-proceeds of lands benefited by a project and not expressly with a converse case like the present one in which compensation has to be paid for lands destroyed or damaged by it. The view of Mr. Hughes would appear to be an inference drawn from the above rule and as the Board of Revenue itself adopted this view when submitting to Government the question of compensation for loss of crops, it cannot be stated at once that the compensation now proposed should be debited to the project. A reference may be made to the Examiner of Public Works Accounts on the point, but if this is thought unnecessary and the debit to the Periyár project is accepted, the following two points will have to be considered :—

(1) whether the charge is one that should properly fall under the Capital or the Revenue Account of the project ; and

(2) whether the expenditure can be sanctioned by the local Government or the sanction of the Government of India should be applied for before compensation is paid.

If it is considered that the acquisition of the lands in question though not directly remunerative in itself is necessary for the "full development" of the project, the charge should be debited to the Capital Account under rule II (i) of paragraph 2155 of the Public Works Code. As the amount of compensation to be paid in this case will exceed Rs. 10,000, the estimate will, under rule 5 (*a*) of the above paragraph of the Code, have to be submitted for the sanction of the Government of India. The estimate of Rs. 1,077 paid for compensation for loss of crops destroyed in 1895 and 1896 was sanctioned by this Government in G.O., No. 72-I., dated 26th January 1903, under the Revenue Account of the project, but as the compensation now proposed is for lands destroyed or permanently damaged and included in the bed of the river channel, it is submitted that the expenditure cannot fairly be charged to the Revenue Account. In this connection, reference is solicited to the resolution of the Government of India printed in G.O., No. 508-I., dated 10th June 1893, in which that Government have laid down that the Capital Account of a project should be debited with the cost of works properly chargeable to that head and that this object would be defeated if new works costing more than Rs. 1,000 each were debited to the Revenue Account. It appears therefore that the charge, if debited to the Periyár project, should be made against the Capital Account with the sanction of the Government of India.

(*c*) With regard to the question of the arrangements to be made for the irrigation of 42·28 acres of wet lands cut off from their source of supply and rendered unfit for cultivation, it is submitted that, if the cost of providing them with new sources of irrigation, as suggested by the Collector, is found prohibitive, arrangements may be made to convert them into "dry" on payment of compensation, if necessary.

(*d*) As the acquisition of lands on both sides of the Suruliyar for the training of the river is of great importance, it is submitted that the Superintending Engineer may be asked to submit proposals for the necessary survey in consultation with the Collector. He may also be asked to submit for the sanction of the Government of India, an estimate of the cost of compensation now proposed to be paid.

A.S.
10-3-05.

T.R.
15-3-05.

The fairest way to settle the question of the debit of the price of the land would appear to be, to debit land revenue and charge the project 4 per cent. on the amount, thus reversing the procedure of the sale of waste lands.

The proposals (*c*) and (*d*) may be approved.

T. W. S. Smyth.
15-3-05.

The correctness of Mr. Wallace's conclusions regarding the damage caused by Periyár water may be accepted.

The 13·23 acres of land covered with silt should be permanently acquired.

As regards the head of account to which the cost of acquiring 147·98 acres should be debited, I agree with Mr. Hughes that charges on account of injury to *crops* should be debited to the project, whilst compensation for *land* destroyed should be debited to the head to which the sale-proceeds of waste lands benefited by the project were credited. No order of Government on this point has yet been passed. The suggestion to debit land revenue and charge the project 4 per cent. is fair and reasonable.

If the 42·28 acres cannot be supplied they will, as suggested, have to be converted into dry, the owners being compensated.

The first proposal in the last paragraph of the office-note is approved.

A.H.G.
17-3-05.

To the Revenue Department u.o.

Revenue Department.

To Under Secretary—

The Public Works Department note is submitted with reference to Secretary's note on page 3 *supra*.

2. The Financial Department may be consulted as to the head to which the compensation should be debited discussed in the Public Works Department note.

S.S.
25-3-05.
T.N.S.
28-3-05.

Mr. Hughes' reasoning does not seem very sound. There is no real analogy between the case of waste lands benefited by a project and lands laid waste owing to the destructive influence of a project.

In the former case the project is credited with a certain percentage of the sale-proceeds, because its existence increases the sale value of the land.

In the latter case the necessity for the acquisition is created entirely by the existence of the project, and the cost of acquisition should, I think, clearly be debited to the Capital Account of the project. Land Revenue already suffers by the diminution of its receipt from the fact that the lands are waste: and should not be debited with any further charge on their account.

It might of course be stipulated that the project should be credited with the sale-proceeds of the lands acquired if they are subsequently sold. The lands will not come under the Government of India rule about waste lands, since they will never "be directly benefited by the construction of the works."

F.B.E.
29-3-05.

To the Financial Department u.o.

FINANCIAL DEPARTMENT.

To Chief Secretary—

The question is the head to which the compensation for lands damaged by the Periyár water should be debited. The advice of the Accountant-General would be useful and if Revenue has no objection the case might be sent to him for remarks on this point.

C. M. SCHMIDT.
30-3-05.

Yes.

G. S. FORBES.
31-3-05.

To the Revenue Department u.o.

REVENUE DEPARTMENT.

To Under Secretary—

Submitted.

S.S.
1-4-05.

T.N.S.
1-4-05.

To the Accountant-General u.o. for favour of remarks on the question of the head of account to which the cost of acquisition should be debited.

F.B.E.
3-4-05.

To the Accountant-General u.o.

OFFICE OF THE ACCOUNTANT-GENERAL.

Compensation for damages caused by the Periyár water is, it appears to me, a direct charge against the project. I can think of no other head of charge to which the expenditure can rightly be taken. The land is taken away from the cultivator and made into a part of the project and land revenue loses the assessment on the land. The method of adjustment adopted, in the case of the indirect irrigation revenue derived from the sale of lands, is not, I think, applicable in the case of compensation for damages, and there is no real analogy between the two cases. As regards the former the revenue is only "indirect" revenue of the Irrigation Department, and is, and can be, creditable in the "Financial" accounts only to Land Revenue and not to Irrigation. The charge for the compensation for damages is, however, incidental to the execution and working of the Periyár project and can and, I think, should be taken in the financial accounts as direct expenditure of the Irrigation Department.

2. There is also no *necessity* to treat the charge for compensation in the same way as the indirect receipt from the sale of lands. The latter is a receipt of a capital nature, but as it could not be credited to the capital account a method of adjustment was adopted which would produce much the same result, viz., to credit the Irrigation Revenue account in the administrative accounts with 4 per cent. of the capital receipt, 4 per cent. apparently being the rate charged on the capital expenditure of the project. In the case of expenditure for compensation, however, the charge can be taken to the capital account and the revenue account will be charged only with 4 per cent. on this increased capital expenditure.

W. DOBBIE.
20-4-05.

To the Revenue Department u.o.

REVENUE DEPARTMENT.

Will Public Works Department accept the Accountant-General's decision, that the whole charge on account of compensation should be debited as a direct charge against the capital account of the project?

F.B.E.
23-4-05.

To the Public Works Department (Irrigation) u.o.

PUBLIC WORKS DEPARTMENT.
(IRRIGATION BRANCH).

To Under Secretary—

Submitted that the file may be returned to the Revenue Department with the remark that the Accountant-General's opinion is accepted in this department.

T.R.
1-5-05.

T.W.S.S.
3-5-05.

The opinion of the Accountant-General is accepted.

A.H.G.
4-5-05.

To the Revenue Department u.o.

REVENUE DEPARTMENT.

To Under Secretary—

The original draft order with paragraph 4 altered with reference to the decision arrived at is now submitted. It may be sent to Financial Department for perusal before issue.

S.S.
7-5-05.

M.B.
8-5-05.

To the Financial Department u.o.

F.B.E.
9-5-05.

FINANCIAL DEPARTMENT.

To Chief Secretary—

The file may, it is submitted, be returned to the Revenue Department with thanks. There seems to be nothing to object to in the Accountant-General's opinion in his u.o. note dated 20th April 1905.

V.G.
10-5-05.

C.M.S.
10-5-05.

Quite so.

H. BRADLEY.
11-5-05.

To the Revenue Department u.o.

REVENUE DEPARTMENT.

To Under Secretary—

Submitted.

S S.
11-5-05.

M.B.
11-5-05.

To Secretary—

The draft may now issue. It embodies the Honourable Member's orders in his note dated 17th January 1905 (page 3 above); the subsequent delay being due to the discussion of the question of funds.

F.B.E.
11-5-05.

Yes. Issue.

A. G. CARDEW.
11-5-05.

[*Issued as G.O., No.* 418, *Revenue, dated* 11*th May* 1905.]

13

P.W.D. Irrgn Branch

D.I.

[Proc No 4660.]

Submitted that the draft order kept below may be forwarded to the Revenue Department for acceptance before issue.

FWStt

19/5/05.

16.5.05

19.5.05

Rev Dept u.o.

BD

Accepted.

20.5.05

P.W.D. u.o.

P. W D (Irrigation)

P. W. D. IRRIGATION.
U. O. No. 218-D
Dated 19-5-1905

Rev. Deptt.
U. O. R. No. 604
Dated 20-5-1905.

D.I.

I

Submitted that the draft order may now issue

FWStt

22/5/05.

22.5.05.

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PUBLIC WORKS DEPARTMENT,

IRRIGATION BRANCH.

PROCEEDINGS OF THE MADRAS GOVERNMENT.

Read again the following

G.O. P.W.D. Irrigation Branch dated 3rd January 1899 No 8 I.

- Do — do — 13th August 1902 No 942 I.

- Do — do — 26th January 1903 No 72 I.

- Do — do — 31st January 1903 No 102 I.

G.O. Revenue Department 11th May 1905 No 418.

Order No 504 I dated 25.5.05

Communicated to the Superintending Engineer, sixth circle, who will submit, for sanction, at an early date, an estimate of compensation to be paid for the lands ordered to be acquired. He will also submit proposals in consultation with the Collector in regard to the arrangements considered necessary for the supply of water to the lands which have been cut off from their source of irrigation.

2. On receipt of the estimate called for, the question of providing

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the necessary funds will be considered.

TMSS
19/5/05.

[illegible]
19.5.05

DESPATCHED
16 JUN 1905

To The Chief Engr for Irrgn
" Supg Engr VI Circle
" Examiner, P. W. Accts
" Revenue Department

[illegible]
16.5.05

E. I. Form No. 1 (a)—1,000—7-4-04.

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